Literary Cabinet.

Si non tantus fructus perciperetur ex his studiis, quantum percipi constat, sed ex his delectatio sola peteretur; tamen hæc animi remissio judicanda esset libero homine dignissima. CICERO.

VOL. I.] YALE COLLEGE, SATURDAY, APRIL, 18, 1807. [No. 11.

Strictures on Palæphilus.

[Continued from page 74.]

I PROCEED to an examination of the second number. "*When we consider that the piece quoted from Ausonius and Martial are entire, and not merely fragments.*" (N. B. Is not this a tautology something like *indivisible* and *cannot be separated?*) "*as parts selected from longer poems, that they are unexceptionable in their versification and exact as to their rhyme, we can scarcely hesitate to acknowledge that they could not have been composed without the intention of which they so strongly evince to have been conceived by the authors.*" What is the meaning of all this? What is the affirmation which the author intended to make? Let us see if by casting off the mighty load of expletives, we can reduce it to a form comprehensible by the understanding.

First.—The pieces from Ausonius and Martial are entire poems. Secondly, their versification is correct. Thirdly, their rhyme is exact, therefore they are composed with the intention which the authors conceived: in other words, when Ausonius and Martial wrote the poems they fulfilled their intention in writing them. Valuable information this!

But "*the fact that they are complete poems in themselves is* "it seems" *an unanswerable argument.*" Argument of what? "*That they could not have been composed without the intention which they so strongly evince to have been conceived by the authors?* No, no, for the next sentence affirms that "*We do indeed meet with instances of several lines rhyming in other Latin poems.* Oh! a ray of light darts at length upon my bewildered brain! "vix tandem, sensi stolidus!" All that has been said has gone to prove that those authors when they wrote rhyme, fulfilled *the intention which they had conceived.*

But to proceed, "*we meet*" then "*with instances of several lines rhyming in other Latin poems,*" but these it seems "*do not appear to have been the result of design.*" Let us compare these unintentional rhymes with those which are as exact "*as any in the works of Pope.*"

Rhymes without design.

Malas, Solebas; Ida, Colla,
Creari, revocari,

Rhymes with design.

Ponit, Tacit, Seras, Fenestras; Vacat, putat; nominant, existimant; Liberum, Adonian Pantheum.

"How intimate must be the

author's acquaintance with Nemesian and Lucretius, and Ausonius and Martial, to discover that *creari* and *revocari* "*do not appear to have been the result of design,*" while at the same time, *amīco* and *Ædĭfico* were "*composed with the intention which they so strongly evince to have been conceived by the author!*" Notwithstanding the assertion that if these be not rhymes, he is *unable to tell what rhyme is;*" he must pardon me for remaining an unbeliever. Indeed if the affair is reduced to that alternative, it will not take me long to decide.

"*Should it be asked,*" continues the author, "*why chance has produced these resemblances here and yet cannot be considered as the cause of them in the instances previously cited; I would answer by inquiring in turn, why the rhyming lines met with in blank verse, are found there? Every reader of Milton knows that many occur in him.*" It cannot but be observed how fond he is of substituting for argument, questions, which are irrelevant to the subject, and which of course perplex and fatigue rather than convince the understanding. The rhymes of Ausonius and Martial were intentional, but those of Nemesian and Lucretius, though to say the least equally manifest, were the effect of chance, because some of the lines of Milton rhyme! this mode of argument (if I may be allowed to ennoble it by the name of argument) is a strong proof either that the cause in which it is employed is bad, or that the defender of that cause, from not understanding his subject, is forced to shelter his weakness under such contemptible sophistry; choose sir, which side of the alternative you please.

After noticing the kindness of the author in taking from his readers the trouble of counting the lines of the poem "*by Seneca the philosopher,*" we will proceed to notice his observations upon Monkish verse. For this species of composition, he appears to be a warm advocate. "*If any poetry of this kind be considered as inconsistent with the gravity and good sense of antiquity, I would enquire,*" (still he does nothing but enquire) "*whether the trifles of Symmius Rhodius, the ridiculous niceties of Pindar and Tryphiodorus, &c. &c. &c. are more foolish than the rhymes of the Monks, the "bouts rimés" of the French, or the Anagram of Aurat*"? I grant you, my good sir, that verses written in the shapes of altars, and wings, and eggs and pipes and battle-axes, and the whole tribes of Anagrams and charades and acrostics, do not display in a very *striking manner* "*the gravity and good sense of antiquity.*" But what is all this to thepurpose? Do you allege these as proofs of the excellence of Monkish verses and of the "*bouts rimes.*" as you please to cail them? Or is it not rather that you may indulge your propensity of loftiness of speech, by introducing the name of Symmius Rhodius, and Tryphiodorus and Ausonius and Proba Falconia, and Liberius and Belisarius and Aurat; but what crime has poor Pindar committed? Why degrade him to a level with such dirty company? Surely sir, you cannot have a very discriminating taste, since you couple the great master of the Grecian lyre with the obsure Tryphiodorus.

With respect to your next observation, I do not feel myself

so willing to join with you in opinion. I do not think that the passage of the Epis. Obs. Vir. which you quote, is any proof that such was the public estimation. As I suppose that you cannot be ignorant of the design of that publication, and of the temper and opinions of its author, I will merely suggest for your consideration the enquiry, whether that sentence be not ironical. Nor do I conceive that the saying of the Monk and his translation of Virgil *into* "*Latin Rhyme*," (which you mention with such evident complacency) prove any thing more than that the author needed a dose of Hellebore.

"*A specimen of this kind of rhyme is preserved in L'Enfant's history of the council of Constance.*" Preserved! one would think from your expressions that rhyming Hemistichs were as rare as the fragments of Ennius. What necessity was there for resorting to L'Enfant's History of the Council of Constance for an example, when not a scribbler of those times could be found, who did not pour forth his rhyming verses, as deficient in wit as they were in quantity! Oh! I forget—Pardon I entreat you the oversight; L'Enfant's History of the Council of Constance is in two thick volumes in quarto!!

I really congratulate you, sir, upon the fortunate discovery which you made of the hymns of Ambrose. It has added one more to your list of names, and has besides furnished you with a dissertation upon monasteries.

One more observation, and I will conclude. "*The only objection,*" you say, "*which in my view can be made to the admission of this piece*" (as a proof I suppose, that "*we cannot reasonably disbelieve the assertion that rhyme was not unknown to the Romans*") *is that the author was an Ecclesiastic.*" And pray sir, in the name of common sense, what objection can that be? Did you fear sir, that from his bearing the sacred office of the priesthood, his authority would have no weight with your readers? What a satire upon their religious principles. "*This however*" you continue, "*will be unavailing when we remember that he was not merely an Ecclesiastic, but was skilled in all the learning of those times.*" Merely an Ecclesiastic! I have no patience when I read such contemptible insinuations!

But I will take my leave of you sir, with expressing the wish that your future productions may possess more logic and less pedantry; at the same time declaring that as I have been the first to censure and to expose your errors, so I shall be ready to speak of you with applause, whenever a greater extent of research and more depth of thought shall lead you to a more correct judgment as to men and things.

X. Y. Z.

On the Profession of Law.

[Concluded from page 68.]

No. IX.

MERCHANTS have usually been thought to understand their own concerns. Yet in the policies of insurance adopted by the two great companies in London, and by all private underwriters in that vast emporium, notwithstanding the importance of the subject and the caution of mercantile men, very numerous er-

rors and ambiguities have been found, which it required half a century or more to settle by judicial decisions. It frequently happens that an additional clause is necessary to embrace the stipulations of the parties; and Lord Mansfield, "while observing upon the inaccuracy of one of these clauses, declared, that he did not recollect an instance of an addition of this sort, which had not created doubts on the construction of it." His Lordship was so struck with the fact, that he pronounced it to be "amazing, when additional clauses are introduced, that the merchants do not take some advice in framing them, or bestow more consideration on them themselves." I will give a notable instance of the uncertainty of language in this very instrument. In the common memorandum were these words, "*N. B. Corn, fish, &c. are warranted free from average, unless general, or the ship be stranded.* In a few years after these words were inserted, there arose a case in which it became necessary to decide their meaning. The principal stress of reasoning fell upon the word *unless*. Lord Chief Justice Ryder, and a special jury of merchants, considered the clause as making a *condition*. In other words, they gave it this interpretation; *that in case there should be a general average, or the ship should be stranded, then the assured might recover for partial losses, or, what is otherwise called, particular average, though the particular average was not at all connected with, or the consequence of the general average or the stranding of the ship.* In a subsequent case, Lord Mansfield and his associates on the bench, determined the clause to form an *exception*, or, more at large, to mean, that *on either of the specified events taking place, the assured could recover for the loss sustained in consequence of the event, but not from any partial losses from any other cause.* In a case still later, Lord Kenyon and his associates have decided in conformity to the opinion of Chief Justice Ryder, that *if either of the events happen, the assured may prove all their partial losses.* Should any one be disposed to decide peremptorily, on this point, let him read the arguments of such men as Dunning and Sir Fletcher Norton on one side, and of Lord Mansfield on the other, and he will perhaps learn a little humility. I have given the foregoing instance as a specimen of hundreds of a similar nature, to be found in our law-books. After all, there is incomparably more precision in the language of the law, than in that of any other science. And there is also a very considerable, and to those who reflect upon the difficulty of the subjects, an admirable certainty in the course of legal decisions. As a proof of this, *Littleton on Tenures* embraces all the most important doctrines with respect to *real property*, amounting to many hundred distinct points of law. Not one of these has ever been denied by a court of justice. Lord Coke, in his commentary on Littleton, has taken a wider range, and has decided many thousand points embracing the most important questions in every branch of the municipal code. Very few of his decisions have ever been doubted.

COKE.

" On me when dunces are satiric,
" I take it for a panegyric."

SWIFT.

TO THE EDITORS OF THE LITERARY CABINET.

GENTLEMEN,

WHEN I had written the essays on rhyme in the 6th and 7th numbers of the Cabinet, I did not suppose that they were sufficiently important to attract the attention of any writer of talents and learning. Nor have I been deceived in this conjecture. The piece, which appeared in your last publication against me, is one among numberless others, in which good sense, *if* there be any, is lost amid a cloud of words and the satire at which the author aims is most severe upon himself. Were it not indeed on account of the misrepresentations, of which he has been guilty, I should not have answered him; for though his vanity may lead him to believe that of this attempt at satire he may say, " hæret lateri lethalis arundo" yet I can assure him that, if his arrows have no more poison than these discover, he would play the part of Cupid, much better than that of a satirist: " Ipuer, *præcipua* in commovendâ *miseratione* virtus." Had I indeed no other opponent but himself, I should scarcely have taken the trouble to resume my pen; for I esteem him as " the *small* dust of the balance, as a *very little* thing." Gratitude however induces me to acknowledge that I am extremely obliged to this gentleman for having so charitably furnished me with a subject " *meis* viribus *æquam*."

I am myself opposed to verbal criticism; yet I shall not waste half a page in convincing you how much I *disdain* making observations on that which is *hardly* correct. Against such inconsistency, common sense furnishes the best remedy—silence. I do not however disdain to inform you that I shall not attribute the *discernment* of a *philosophical* proposition to *imagination*, nor shall I speak of *demonstrating a fact*.

It is easy to see why this gentleman wishes us to believe that an invention is an instantaneous operation of the mind: for then he hopes that he himself may hereafter be considered as a great genius; provided *one* or *two* ideas *only* be concerned. After all his *wonderings* (perhaps I should rather say wanderings) he has led his readers on a wild-goose chase, and doubtless each of them would be obliged to him, would he imitate the example of the artists of old, who were wont to write under their unintelligible pictures, what they were intended to represent. But we must excuse him, well knowing how far the desire of being talked of will carry the vain. Of him most probably we may say as Boileau did of Chapelain.

" Lui même il s'applaudit, et d'un esprit *tranquil*.
" Rend le pas au Parnasse, au dessus de Virgile."

Either this gentleman has never read Lucretius and Locke, or he has read them very carelessly. If he has perused their productions, it must have been with a degree of inattention, of which a boy would be ashamed, since he has not perceived that they resemble each other in several particulars, beside that to which he has referred. It is not however difficult to discover why *his* mind should retain *so tenaciously* the idea of a *vacuum*

only ; Phædrus gives the reason, " Similis simili gaudet." If however this writer has never read Lucretius, he should blush to have argued, with regard to what he had never examined. I shall say nothing on the subject of resemblance ; since, my opponent's observation on it are totally inapplicable, as the state of the case really is. Perhaps he defends resemblances, from motives of selfishness, intending to treat some poor ancient as Locke has Lucretius. If so, he may rest assured that his insignificance *only* will be his safeguard.

The only argument, which the writer adduces against me, setting aside that which he derives from similarity, is briefly this : that Locke could not have borrowed from Lucretius, in as much as the moderns are so grossly ignorant of the vestiges of antiquity. I shall not waste my time in pointing out the weakness and inconsistency of this argument ; since the author might then flatter himself that it was worthy of commendation, but shall merely expose its fallacy. When we say that the Athenians were an acute and fickle people, or that the Spartans were patriotic and disinterested, we never mean, nor are we even supposed to mean, that they were so universally ; for every one knows the characters of Cleon and Phocion, of Pausanius and Gylippus. When therefore we speak of the moderns, it is in the same way and it might with as much propriety be alledged, because the Swiss are generally brave, that none, of them fled at the battle of St. Jacques, as that Locke could never have read Lucretius, if the moderns knew not that many principles had been derived to them from the ancients.

If this gentleman will argue and not throw away his time in attempts at satire (though perhaps his mind is incapable of greater exertion) I will answer him. He should however know that the moderns are not much obliged to him for undertaking their defence ; if he cannot conduct it with more honor to himself and to them than he has hitherto. Let him remember that Cicero has justly said " turpius est nocuisse videri causæ quám non profuisse." I am sorry moreover to find him display so little regard for his *favorite*. Could Horace rise and hear him quote concess*erunt* columna, something more than *Lyncean* eyes and *Protean* facility, would be required to save him from the poet's vengeance.

I shall now conclude with the words of Dryden, so applicable to the present subject ; " they who can criticise so weakly, as to imagine I have done my worst, may be convinced, at their own cost, that I can write severely, with more ease than I can gently."

PALÆPHILUS.

On the Immortality of the Soul.

No. III.

[Continued from page 76.]

THE fact that men are formed ACCOUNTABLE BEINGS, and capable of being *judged*, must be viewed as an argument of no inconsiderable importance on this subject. For if they are not to be judged, those things which render them accountable beings, and proper objects of praise and

blame, would seem to have been created to no purpose. That all nations have considered mankind as capable of being judged, is evident from their having made them accountable to human tribunals. They have uniformly required of them the performance of certain duties, and made them accountable for the discharge of them. The conceptions of men have been just on this subject. Human beings are plainly capable of understanding a rule of government: They are capable of knowing the difference between right and wrong, and of pursuing the one, and avoiding the other. They are capable of knowing the nature of motives, and of being influenced by them according to their importance. In a word, they are moral agents, and therefore the proper subjects of government.

All that is necessary to render men accountable, is a rule of action, obligation, and power to conform to it, together with a knowledge of the difference between right and wrong. All these are plainly within the possession of mankind. As a rule of conduct, they have, at least, their own *reason* and *conscience*. They are sensible that they came from the hand of God, and are therefore *bound* to serve him. They are clearly moral agents, and may be supposed *capable* of serving him; and as there is a plain, obvious, and necessary difference between right and wrong, they are able to become *acquainted* with their *duty*. They are capable of knowing that some actions are more desirable to be performed than others; and that while some are entitled to praise, others are entitled to blame. Is it not therefore reasonable to suppose, that these free, or moral agents, will be examined as to their manner of improving the talents which they have received from the Divine Being! Can it be imagined that men will be left to live as they list, when they are formed in all respects, capable of being judged? If men are accountable creatures, there can be little doubt that they are formed for immortality. May it not therefore be concluded, that human beings are now upon trial, and that they will receive the due reward of their deeds in a future world, where they will exist for ever. Heathen nations have believed it, and nothing can be more rational or more justly expected.

PLATO.

No. IV.

THE *unequal distribution* of *rewards* and *punishments*, when properly examined, must be considered conclusive in favor of a future state of retribution. If the blessings of the present life were distributed among men according to their moral characters, there could be no argument drawn from this source to prove the reality of a future state. The objects to be accomplished by such a state, would, in that case, be realized. But it is far from true, that the moral character of any can be measured or determined by the external circumstances with which they are surrounded. In the present life, good and evil happen alike to all. The virtuous are by no means universally distinguished by prosperity. Their circumstances are seen to fluctuate with those of the vicious and abandoned. Sometimes they enjoy many of the blessings of the present state. Like Solomon they command, and are implicit-

ly obeyed. Or like him also, they have all the riches of a kingdom in their power. They are clothed in purple and fine linen, and fare sumptuously every day : at another time, they are beggars at the gate of the voluptuary, and are craving even the crumbs that fall from his table. In many instances, every thing with which they are surrounded is calculated to harrass and perplex them. They are persecuted by the vile, embarrassed with their own personal concerns, and reduced in body and mind, to the most abject and affecting circumstances. Should it be here objected that all this is no evidence of a future state of retribution, since even the most virtuous, when examined on the scale of strict justice, would be found to have experienced better than their deserts ; it may be answered that the virtuous are not only debased, but the abandoned are exalted above them. No spectacle is more frequent than virtue groaning in adversity, and vice smiling in prosperity at her side. How frequently do the strong trample upon the weak : the wise entrap the ignorant, and the rich oppress the poor ? How frequently do the ambitious build their greatness on the ruin of those around them ? and who is there that has not abundantly witnessed acts of injustice and cruelty, whose perpetrators have gone unpunished ? How many instances of rebellion are there secreted, and how much open wickedness passes unnoticed ? While our eyes are fastened upon these scenes of wickedness, and while the vicious are left to triumph over the virtuous, and to look down upon them with contempt, we are led to enquire whether there is not a judgment to come. If God loves virtue and hates iniquity, it may justly be expected that he will exhibit his love and hatred by the different treatment which the virtuous and vicious experience. But as it is abundantly evident that this difference of treatment is not exhibited in the present life, it must either be true that God does not approve of virtue, and disapprove of vice, or that those inequalities in the distributions of the bounties of Providence will be adjusted in a future world. That God loves virtue and hates vice, will be granted. The conclusion is therefore irresistible, that men will be rewarded and punished in a future state.

[To be continued.]

NOTE.

The communications of some of our correspondents are recommended more by the display of their ingenuity than by the choice of their subjects.

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